

**PUBLIC WORKS & TRANSPORTATION COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **February 4, 2003**.

Members Present:

Legislator Joseph Caracappa - Chairman
Legislator Brian Foley - Vice-Chair
Legislator Andrew Crecca
Legislator Fred Towle
Legislator George Guldi
Legislator William Lindsay

Also in Attendance:

Paul Sabatino - Counsel to the Legislature
Alexandra Sullivan - Chief Deputy Clerk/SC Legislature
Kellianne Sacchitello - Aide to Legislator Caracappa
Tim Motz - Aide to Presiding Officer Postal
Tim Laube - Aide to Legislator Lindsay
Eben Bronfman - Aide to Legislator Guldi
Tom Donovan - Aide to Legislator Guldi
Kevin Duffy - Budget Review Office
John Ortiz - Budget Analyst/Budget Review Office
Nicole DeAngelo - Intergovernmental Relations/County Executive Office
Charles Bartha - Commissioner/Suffolk County Public Works Department
Richard LaValle - Chief Deputy Commissioner/SC Public Works Department
Leslie Mitchel - Deputy Commissioner/SC Public Works Department
Ben Wright - Director of Sanitation/SC Department of Public Works
John Donovan - Sanitation Division/Department of Public Works
Bill Shannon - Director of Highways/SC Department of Public Works
Bob Shinnick - Director of Transportation/SC Dept of Public Works
Tedd Godek - Suffolk County Architect/Department of Public Works
Ralph Dobkowski - Landscape Architect/Department of Public Works
Jennifer Dering - New York Power Authority
Nick Rella - New York Power Authority
Phil Lorito - Resident of Holbrook
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

CHAIRMAN CARACAPPA:

We'll start the Public Works & Transportation meeting now; like I said, 3:30 sharp. We'll have a salute to the flag led by Legislator Foley.

Salutation

Everyone please remain standing just for a brief moment of silence for the Columbia Crew.

Moment of Silence Observed

Thank you. We have one speaker, it's relating to Resolution 2230 that was sent back to committee from the floor of the Legislature last week, Jennifer Dering, she's from the New York Power Authority. Ms. Dering, just come up, take a seat, turn the microphone on.

MS. DERING:

Hi. We're here again today, this sewer connection permit has been through your committee once. Last week it came to our attention that Legislator Cameron Alden had some concerns with this connection and I'm just here to address his concerns basically and hope we can move on from here.

He had three concerns based on a telephone conversation we had yesterday. He was concerned, number one was that we are taking water from the aquifer and using it -- when we treat it and dispose of it, it's not going back to the aquifer, it's going to the ocean which means we're taking drinking water and we're not putting it back in.

His second concern was with the future development of the Pilgrim State Hospital facility. He's concerned that our facility, our power generating facility would be used more frequently than it is now currently, it's a peaking unit and he's concerned that it will be used more frequently than just peaking. He's also concerned with the added input to the Southwest Sewer District based on its current capacity, he feels it's an antiquated system and that that would -- we might contribute to more input than it can handle.

Basically, our facility is one that we do not decide when we run our power plant, it's determined by the New York State Independent system operator. When they call us to run based on demand needs, we're put on-line, so it's really not up to us when we run. So the demand is -- it's not up to us, proximity doesn't make a difference. Just because we're next door to the Pilgrim State Hospital doesn't mean that we'll be called to run because of their demand.

Regarding his concern with taking water from the drinking water supply, we're currently doing that. We have an allocation of 120,000

gallons per day that we can use and we're not using that amount, but that is what our permit allows us to use. Currently we're discharging into a frat tank and the idea is that when we get our sewer connection then that frat tank will go away. I'm not sure if the concern is related to discharge or if it's related to in-take. As far as

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discharge is concerned, we only discharge maybe 10% of what we take in, most of it is evaporated in the unit. So our discharge is extremely minimal.

And concern with the added capacity to the Southwest Sewer District, basically we only discharge during summer months when we're running our cooling towers. Winter months, like we're not discharging anything at all. And our discharge is extremely minimal based on the numbers that we're seeing on our frat tank right now.

CHAIRMAN CARACAPPA:

Currently during these cold months in the winter you use no coolant whatsoever?

MS. DERING:

No.

CHAIRMAN CARACAPPA:

Legislator Alden is here and he has some questions.

LEG. ALDEN:

Hi. Don't take this personally because you are weren't there, but two years ago when the agency that you represent and you represent today before this body, when they decided that they were going to place these units or one unit over in the Brentwood area, a number of the constituents -- I represent about three-quarters of Brentwood. A number of the constituents of mine had expressed a whole bunch of problems and they just wanted answers and I was told by your agency that, "You know what, we don't even have to hold a hearing. We can just put this in there and that's too bad for the community, that's too bad for everybody." I asked would you please do an environmental assessment or just, you know, an impact type of statement or something like that, "No, we're not going to do that because we don't have to. We're going to stick this unit in there."

Now, the original plan called for pumping water out of the ground, running it through the units and then pumping it back into the ground after it was filtrated; now all of a sudden that's a different plan. And from my conversation with you yesterday, it sounds like you original plan was to get hooked up to the Southwest Sewer District so you should have said that -- and please, don't take this personal, you know, this is more of me venting a little bit on -- they should have

come up with a straight plan, they should have been more -- they should have had a little bit more feeling for the people that live in that area and they should have been a little bit more straight-forward and forthcoming with answers to questions rather than just, "No, we are more powerful than you and we will just drop this unit in."

Now, the other thing is -- you did address it a little bit, but it's basically a city that's going to be built right there, right where your peaking units are and LIPA really does not have enough power in that grid to supply what's going to be built there. So in some way, shape or form, more power is going to have to be applied to that area. And when I looked at your drawings for your company, it didn't have one unit in there, it had multiple units. And now Pennsylvania Power, I looked at the drawing so I'm just telling you what I saw.

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MS. DERING:
Okay.

LEG. ALDEN:
And there's multiple units that were proposed two years ago, even though it was stated to the community that one unit was going to go there, but you cleared enough land that you could put about four in there. Now, Pennsylvania Power & Light is also -- they have developed that area also, I believe they've got two units that are either going in there and coming on-line. It looks to me just you know, -- and I'm not an electrical engineer by any way, shape or form, but the proximity of those power units to the development of Pilgrim State just seems to be, you know, like a logical extension of here's the power units, there's Pilgrim State, all this development and there's no other power plant proposed for that area, the one for Kings Park, I believe that proposal is gone now.

So I think that, number one, your company was very, very arrogant and very much non-sensitive to the needs of people when they wanted just answers about pollution and what type of units they were and things like that. And they were deceptive because now all of a sudden it's a completely different type of proposal than what was placed before the people and was placed before me.

So having said that, and I do have some concerns about the Southwest Sewer District which you can't -- you cannot address that but Charlie Bartha is here, our Commissioner of Public Works, he can address those concerns that I have. But as far as the other ones, I think you've stated your case.

MS. DERING:
Can I comment on your concern?

LEG. ALDEN:
It's through the Chair.

CHAIRMAN CARACAPPA:
Of course.

MS. DERING:
Basically every site that we built when we built these plants did have an environmental assessment form that was completed, and that's of public record so anyone is --

LEG. ALDEN:
I have to interrupt you, I'm sorry. Your letter to me stated that you were not going to do one, you were not going to supply it to the community, that you don't have to do it; I have the letter, I didn't bring it with me today, but that's -- and please, don't take it personal.

MS. DERING:
And I --

LEG. ALDEN:
The letter from your agency to me personally as a Legislator stated,

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"We don't have to do it, we're not doing it, too bad."

MS. DERING:
New York Power Authority has to follow the rules of the Environmental Assessment and Environmental Impact Statement, you know, in order to get our air quality permits, we have to do those. And one would -- an environmental assessment form was completed and that's -- in this environmental assessment form, that's where it states how much water we would be drawing and that's where we get our requirements from. So it is --

LEG. ALDEN:
Just back to your superiors or whoever in the company, why wouldn't they share that with the community and why did they fight the community when they asked for an environmental assessment? Why would they fight the community and actually slap them in the face and just tell them, "No, we don't have to do it so we're not doing it"?

MS. DERING:
I don't know what happened two years ago in this particular facility. I was involved in the building of all these facilities and I was involved in the community meetings in the city and I know that we've always stated that the environmental assessment forms were open, they're public record so anyone can take them, they're in the

libraries. We sent them out to a lot of people, a lot of the communities so that they would have them available.

(*Legislator Towle entered the meeting at 3:38 P.M. *)

LEG. ALDEN:

Do you happen to recall what that power plant is situated on right now? Do you know what you're sitting on over in that area; what type of ground and what that ground was used for?

MS. DERING:

I am not familiar with it.

LEG. ALDEN:

Oh, okay.

CHAIRMAN CARACAPPA:

Just if I could interrupt and ask a question directly related to the sewer hook-up. The reissuance here, it's basically what it is, it's for no more or no less than what you currently are using, correct?

MS. DERING:

Correct.

CHAIRMAN CARACAPPA:

You have no plans at this time to use the capacity you have now for any additional generators or turbines?

MS. DERING:

No, there's no plans to build another generator there nor have there been since we started building this one. No one else is hooking up to

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us, we're not connected to any of the other sites adjacent to us, this was a single unit and that's what it intends to stay as.

CHAIRMAN CARACAPPA:

Legislator Alden, any other questions?

LEG. ALDEN:

That was it, thanks. Is Charlie going to do a presentation?

CHAIRMAN CARACAPPA:

Yeah, he will. Okay. Thank you very much for your time.

MS. DERING:

Thank you.

CHAIRMAN CARACAPPA:

Any other questions? Okay, Commissioner? Mr. Wright, it would be a good idea if you come up. Let's go directly to the concerns of Legislator Alden and to relation to the Southwest Sewer District. So Legislator Alden, if you have any direct question, why don't you go ahead.

LEG. ALDEN:

Hi, Charlie. Thanks for coming down. From some of the things that I've been watching over the past five years, there's been a lot of out of the Southwest Sewer District hook-ups and I'm just afraid -- and I know you had told me and you tried to calm me down a little bit on occasions when I do get a little riled up on it that, you know, there is a plan and basically that, you know, we have enough gallonage and things like that that we can process this. But my fear is that we're not going to be able to take care of the original Southwest Sewer District and that at some point in the very near future we're going to have to completely rebuild that Bergen Point Plant which, as both of us know, that's an expensive proposition if we have to do that. With the promise and I believe it's on contractual form with New York State as far as the development at Pilgrim State Property, we've contracted with them for X amount of gallonage. So where does this leave us far as in the whole scheme of things?

COMMISSIONER BARTHA:

Okay. Presently after we account for connecting every remaining parcel in the Southwest Sewer District as well as the existing contractees that we already have committed to, we have over two million gallons of excess capacity, about 2.1 million gallons of excess capacity. And this is 10,000 gallons per day involved here which is .01 gallons per -- million gallons per day.

What's happening right now is that they are trucking by scavenger hauler the water from this facility to our Bergen Point Treatment Plant, so we are receiving that water through the plant in a different fashion. If you approve this agreement what they'll be doing is paying us a \$150,000 connection fee as well as paying taxes each year for the fact that there are using fee charges as well as the debt service for the construction cost.

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LEG. ALDEN:

Charlie, there's no way we could actually get them to pay maybe like \$50 million; because it is New York State, isn't it, they're an agency of the State?

COMMISSIONER BARTHA:

I'll write that letter.

LEG. ALDEN:

Good, I'd appreciate it if you'd try that for me. The other part of it, though, is the equipment at Bergen Point right now, can you give us a sense of when that's going to have to be replaced and, you know, is there a major overhaul coming very shortly? And just the other part of the question would be I know that now we have a dedicated stream of funds, you know, that can take care of, I would hope, all if not most of any type of reconditioning or rebuilding of that plant; if you could just answer where it would fall in there.

COMMISSIONER BARTHA:

Well, certainly the plant is getting older, it's about 25 years old now. Certain components such as the incinerators we are proceeding with a design for replacement of the incinerators. Incinerators have a shorter life to know the components of the plant, it's a very severe duty operation, but there's other equipment that we replace periodically and we are getting to the point where some of the major facilities we have to start planning for replacement of.

MR. WRIGHT:

If I could add to that. Since we started using contractee funding for replacement of the equipment and also repairs, we have utilized about \$15 million of those connection fee money. And when you consider that it's money that it's available to you right away rather than amortizing it, you know, it's probably equivalent to over \$100 million in construction costs. So it's important to use whatever we have excess available for that purpose.

LEG. ALDEN:

If we went up to full, you know, full capacity tomorrow, are we able to do that or do we have to actually replace some of the equipment to actually go up to full capacity?

COMMISSIONER BARTHA:

We could go to full capacity tomorrow.

LEG. ALDEN:

And then how long after that would -- then it would just be normal replacement of the equipment to keep it at that?

MR. WRIGHT:

We have a number of Capital Projects that are either under way or coming up as requested, the new Capital Projects that are related to Southwest Sewer District with the plan. The sludge project that we had approval for last year, we're just entering into design contracts now and that will replace almost the entire sludge processing system which is estimated to be \$35 million, that at this point is probably the more critical area that we have to deal with.

LEG. ALDEN:

Underlying all this, my fear is if that capacity is not there and we have to rebuild the whole plant, who's going to pay for it? And it's the people that have been I think over paying in the Southwest Sewer District because -- and this is no -- I'm not casting a dispersion you, but we all know that there were problems with the Southwest Sewer District from the day it started to be designed and the initial construction which I'm thankful now we're finally paying off the bonds after all these years. What did we have, about eight more years I think, eight, nine years?

COMMISSIONER BARTHA:

I'm not sure what the reauthorization and refinancings are.

LEG. ALDEN:

Most of them -- but at least now there's, you know, an end to it. So that's my -- my biggest fear is that now we're going to have to spread that cost all amongst all the users, just because we went outside the district when we hooked people up.

COMMISSIONER BARTHA:

Well, we certainly share that concern and that's our responsibility in managing all the County Sewer Districts. Ben and I had the unpleasant experience when we initially were in the mid to higher level managerial positions in the mid 80's that we had a number of treatment plants that were receiving flow above their capacity and we inherited the situation together, we've cleared it up with the support of the Legislature for the funding and developments that were opportune to hook in and had them pay for some improvements. So we, from our own personal experience and our responsibility in the positions we're in, are really committed to not seeing that happen again, we've been very careful with that with the Southwest Sewer District because unfortunately that's the one district that we've been involved with from the beginning.

LEG. ALDEN:

Mr. Chairman, I appreciate you allowing me to take up this much time. Thank you.

LEG. TOWLE:

Don't ever do it again.

CHAIRMAN CARACAPPA:

Legislator, I know this is a very important issue to you as well as other Southwest Legislators and feel free to come before this committee any time if you have any questions that you need answers to.

LEG. ALDEN:

Thank you.

CHAIRMAN CARACAPPA:
Legislator Lindsay.

LEG. LINDSAY:
Just one clarification again, fellas. So the issue that we're discussing on this resolution that was recommitted, it isn't going to

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increase the flow, we're already accepting the flow but via tanks, tank trucks, not by pipe, right?

MR. WRIGHT:
That's correct.

COMMISSIONER BARTHA:
Correct.

LEG. LINDSAY:
All right, that's all I needed.

CHAIRMAN CARACAPPA:
Any other questions on this issue? Okay. Commissioner, do you have any statements or presentations to make to the committee?

COMMISSIONER BARTHA:
No, thank you.

CHAIRMAN CARACAPPA:
No? Are you sure?

LEG. GULDI:
Make something up, Charlie.

LEG. LINDSAY:
Stay there, Charlie.

LEG. GULDI:
You're not getting off that light.

COMMISSIONER BARTHA:
It's always a pleasure to be here; how's that?

LEG. LINDSAY:
You're lying.

CHAIRMAN CARACAPPA:
Just let us take that in, soak that; everyone soak that statement in. Are there any other members of the public that would like to speak before the Public Works & Transportation Committee? Hearing none,

we're going to go to the agenda.

Prior to doing so, I just want the record to reflect that Legislator Foley is once again the Vice-Chairman of this committee and we're proud to have that back in place.

LEG. FOLEY:
Thank you.

TABLED RESOLUTIONS

CHAIRMAN CARACAPPA:

Tabled Resolutions, as was mentioned earlier, this was sent back to committee from the floor of the Legislature, 2230-02 (P) - Authorizing execution of an agreement by the Administrative Head of Suffolk County

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Sewer District No. 3 - Southwest with the developer of New York Power Authority Brentwood Facility (County Executive). Legislator Alden, if you don't mind me asking, have your concerns been dealt with?

LEG. ALDEN:

Yes, on the capacity issue and those statements by Mr. Wright and the Commissioner, yes. The problem I have is with NYPA pretty much and their original presentation should have matched what they came before us and asked for now. And other than that, I really don't have a problem with this.

CHAIRMAN CARACAPPA:

I will make a motion to discharge without recommendation.

LEG. GULDI:

Second the motion.

CHAIRMAN CARACAPPA:

Second by Legislator Guldi. All in favor? Opposed?
It's discharged without recommendation (VOTE: 6-0-0-0).

INTRODUCTORY RESOLUTIONS

1038-03 (P) - Authorizing Public Hearing for authorization of extension of license for Sayville Ferry Service, Inc., for Cross Bay Service between Sayville, New York, and the Fire Island Communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Postal). Motion by myself, second by Legislator Foley. All in favor? Opposed? Abstentions? It's tabled pending -- I mean it's approved (VOTE: 6-0-0-0). That public hearing will be held on Tuesday at 2:30 at the meeting of the Suffolk Legislature.

1039-03 (P) - Approving extension of license for Sayville Ferry Service, Inc. For Cross Bay Service between Sayville, New York and Fire Island Communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Postal).

LEG. FOLEY:
Motion to table.

CHAIRMAN CARACAPPA:
Motion to table pending the public hearing. All in favor? Opposed?
It's tabled (VOTE: 6-0-0-0).

Resolution 1058-03 (P) - Amending the 2003 Capital Budget & Program and appropriating funds in connection with the purchase and installation of bus stop location signs (CP 5651) (County Executive).

LEG. FOLEY:
Motion to approve for the purposes of discussion.

LEG. GULDI:
Second.

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CHAIRMAN CARACAPPA:
Second by Legislator Guldi. Mr. Shinnick, could you please come forward?

LEG. GULDI:
We're doing signs in the Capital Budget now?

COMMISSIONER BARTHA:
With 80% Federal money, 10% State money, this is --

LEG. GULDI:
Okay.

COMMISSIONER BARTHA:
-- a lot of signs.

CHAIRMAN CARACAPPA:
It's \$23,000 County share, correct? This is actually you're coming back for additional money.

COMMISSIONER BARTHA:
We're coming back for additional money. We received bids in December of last year, the lowest responsible bid was \$696,000, we had 500,000 appropriated; so allowing for contingencies, we are seeking a total of \$730,000. And what this will provide is bus signage at 3,300 locations, it will also provide the more complete bus information

signs that we had discussed at committee meetings last year at 165 different major significant bus stops.

LEG. LINDSAY:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Lindsay.

LEG. LINDSAY:
What's the net cost to us, Charlie?

CHAIRMAN CARACAPPA:
Total?

COMMISSIONER BARTHA:
The total would be \$73,000.

LEG. LINDSAY:
That's additional?

COMMISSIONER BARTHA:
Fifty thousand of which you've already authorized.

LEG. LINDSAY:
Okay, so we're looking for another \$23,000.

COMMISSIONER BARTHA:
Correct.

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CHAIRMAN CARACAPPA:
The total is \$730,000 with the County portion being 23,000; correct, Mr. Shinnick?

MR. SHINNICK:
No, the total County portion is 73,000.

CHAIRMAN CARACAPPA:
Right, the total of the project is 730,000.

MR. SHINNICK:
The total County portion would be 73,000.

CHAIRMAN CARACAPPA:
Right. In this instance we're asking for an additional 23.

COMMISSIONER BARTHA:
Correct.

MR. SHINNICK:

On top of the original 50,000.

CHAIRMAN CARACAPPA:

Right, which was already appropriated. Legislator Foley, you have any questions?

LEG. FOLEY:

Yeah, I just have a follow-up question.

CHAIRMAN CARACAPPA:

Legislator Lindsay, were you done?

LEG. LINDSAY:

Yeah.

CHAIRMAN CARACAPPA:

I'm sorry. Go ahead.

LEG. FOLEY:

Commissioner, while we're going to approve this today, we still haven't seen a facsimile of what the sign is going to look like and at some point it would be helpful if we could see that. And I know that there are advocates out there that have some of their ideas as to how the sign should look and what should be included, what information should be included on the sign. So that would be appreciated if you could -- do you have one in mind already or is that being developed as we speak?

MR. SHINNICK:

We have developed some prototypes, we could show them to you.

LEG. FOLEY:

Yeah, that would be helpful. If you have it available, through the Chair, even if we have it by next Tuesday, that would be helpful. Okay?

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CHAIRMAN CARACAPPA:

Any other questions? There's a motion and a second. All in favor? Opposed? Abstentions? It's approved (VOTE: 6-0-0-0).

LEG. FOLEY:

Mr. Chairman, if I may, since Mr. Shinnick is right at the table.

CHAIRMAN CARACAPPA:

Yes.

LEG. FOLEY:

I'll distribute this letter dated January 24 from the Commissioner and it's regarding the proposed bus passenger shelter designs. And the good news is that the Division of Transportation is looking at some -- what I would call updated designs, less utilitarian looking designs for their bus shelters, both in western as well as Eastern Suffolk, Central Suffolk. And in the near future I'm sure that Mr. Shinnick can come back and give us some more definitive answer as to exactly how the design shelters are going to look. So I'll make copies of this, give it to the committee, and I'm just happy to see that we're moving forward with bus shelter designs that are more in keeping with what we all had in mind in approving the amenities for our bus patrons, without too much of an additional cost. So I want to thank you.

MR. SHINNICK:

You're welcome.

CHAIRMAN CARACAPPA:

While Mr. Shinnick is at the table, anyone have any comments or questions relating to transportation? Okay.

1059-03 (P) - Amending the 2003 Adopted Operating Budget and the 2003 Capital Budget & Program and accepting and appropriating funds in connection with the purchase of sewer facility maintenance equipment (CP 8164) (County Executive). Charlie, you want to give us a quick update?

COMMISSIONER BARTHA:

It's for \$750,000 from the Operating Budget, this transfers money from Operating to Capital. And what this is for is maintenance equipment to maintain the sewage treatment plants and pump stations throughout the County. There's four trucks, a couple of snow plows, a sewer jet cleaning thing for sewer maintenance.

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

There's a motion by Legislator Foley.

LEG. TOWLE:

Second.

CHAIRMAN CARACAPPA:

Second by Legislator Towle. All in favor? Opposed? Abstentions?

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It's approved (VOTE: 6-0-0-0).

1083-03 (P) - Amending the 2003 Capital Program & Budget and appropriating funds for improvements to Commack Road, CR 4 (CP 5051.312) (Binder).

LEG. CRECCA:

I'll make a motion but I have a question on this.

LEG. TOWLE:

Second.

CHAIRMAN CARACAPPA:

Motion by Legislator Crecca, second by Legislator Towle. On the motion, Legislator Crecca.

LEG. CRECCA:

Charlie, can you just explain what the improvements are and what stretch of Commack Road is involved?

COMMISSIONER BARTHA:

This is a stretch of Commack Road in the area south of the -- immediately south of the Long Island Expressway. Legislator Binder had requested that we provide him with a cost figure for providing some curbs in the area and once you do curbs in that particular area you wind up having to do some drainage work also, so this provides for it. We have a Capital Program coming up some time in the future, it's maybe two years off but we will do this so that the work can be incorporated into the future project.

LEG. CRECCA:

So that this work can be incorporated in?

COMMISSIONER BARTHA:

No, the work will be done now but we'll do it in a fashion so that it doesn't have to be ripped out when we do the major project.

LEG. CRECCA:

There aren't going to be -- are there going to be any major changes to that stretch? Because I know that that's been -- that's heavily used for some trucks and areas like that. You know of what I speak, but I'm saying, in other words, are there any major changes as part of this project?

COMMISSIONER BARTHA:

No.

LEG. CRECCA:

Okay.

COMMISSIONER BARTHA:

And this work is actually an outgrowth of those conversations with the community.

CHAIRMAN CARACAPPA:

The offset, just so the committee knows, is Downtown Revitalization

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Funding which -- I think this is a worthy project, I absolutely have to disagree with this offset.

LEG. FOLEY:

Motion to table, Mr. Chair.

CHAIRMAN CARACAPPA:

Four hundred thousand dollars is the offset taken --

LEG. TOWLE:

I'm going to withdraw my second.

CHAIRMAN CARACAPPA:

-- for Suffolk County Downtown Revitalization Program.

LEG. TOWLE:

I'll second the motion to table.

LEG. CRECCA:

I didn't know that was the source of the funding. In light of that, I'll withdraw my motion to approve.

CHAIRMAN CARACAPPA:

That is a --

LEG. CRECCA:

I certainly support the project.

CHAIRMAN CARACAPPA:

So do I, but that -- I don't know, that offset is -- it's unfortunate.

LEG. FOLEY:

Motion to table.

CHAIRMAN CARACAPPA:

Second by myself. All in favor? Opposed? Abstentions?
Tabled (VOTE: 6-0-0-0). I will reach out to Legislator Binder immediately and ask him to look for an alternative offset so that we can move this forward as soon as possible.

1089-03 (P) - Authorizing Public Hearing for authorization and approval of Bay Shore Ferry, Inc.'s petition for passenger, baggage

and freight ferry service over Great South Bay from Bay Shore, Suffolk County as proposed in the verified petition of Bay Shore Ferry, Inc. Dated January 16, 2003 (Presiding Officer Postal). Motion by Legislator Foley, second by Legislator Lindsay. All in favor? Opposed? Abstained? That public hearing is approved (VOTE: 6-0-0-0).

1090-02 (P) - Approving Cross Bay Ferry License for Bay Shore Ferry, Inc. (Presiding Officer Postal). Motion to table by myself, second by Legislator Foley pending public hearing. All in favor? Opposed? Abstentions? Tabled (VOTE: 6-0-0-0).

1091-02 (P) - Authorizing Public Hearing for authorization of the establishment of rates of Bay Shore Ferry, Inc., for Ocean Bay Park (Presiding Officer Postal). Motion to approve the public hearing by

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Legislator Foley, second by Legislator Guldi. All in favor? Opposed? Abstentions? It's approved (VOTE: 6-0-0-0).

1092-02 (p) - Authorization of rates for Bay Shore Ferry, Inc. (Presiding Officer Postal). Motion to table by Legislator Lindsay, second by Legislator Towle. All in favor? Opposed? Abstained? It's tabled pending public hearing (VOTE: 6-0-0-0).

Is there any other business to come before the Public Works & Transportation Committee today?

LEG. FOLEY:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Foley.

LEG. FOLEY:
Commissioner, this time of year your Division of Highways is putting together the list for road resurfacing; could you tell us where that stands and when you intend to submit the appropriating resolution to the committee?

COMMISSIONER BARTHA:
We would hope to submit that within the next six weeks which would allow us to see the effects of the tail-end of the winter before we finalize it, but we're in the process of using our Highway Information System as well as observations as to what areas should be addressed. And we have a three year plan so we work from that and make adjustments.

LEG. FOLEY:
So we're looking at the end of March?

COMMISSIONER BARTHA:

We should have it for you by then, yes.

LEG. FOLEY:

Thank you.

CHAIRMAN CARACAPPA:

Legislator Towle.

LEG. TOWLE:

Thank you, Legislator Caracappa. Charlie, at the last meeting one of the things we talked about was the parking lot at Smith Point. And I had an opportunity to take a look and I see we obviously have some bids out already and vendors selected to do certain types of parking lots and pavings. One was in reference to basically taking the parking lot, regrounding it up for a base and then I guess starting from that point forward. I was just curious, the department's position on that practice I've heard is good, I figured I'd ask you.

COMMISSIONER BARTHA:

We think it's a good process but as with anything, it depends on the particular application to it. I believe -- we discussed this

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in-house, that the character of the pavement there is not particularly thick, so we would have to add material to it in order to make it a good pavement and we would wind up -- that's a more costly alternative but it's probably a better alternative.

LEG. TOWLE:

Okay.

COMMISSIONER BARTHA:

The skimcoat, a three-quarter inch asphalt overlay that would be included, the monies that are presently being viewed, we think we could do a better job. And if there is -- if you want to revisit this issue, we would like to work with you and give you revised cost figures for anything we recommend be done.

LEG. TOWLE:

How much do you have now, that we moved around at the end of the year last year.

COMMISSIONER BARTHA:

It actually wasn't moved.

LEG. TOWLE:

Okay. Well, there was some dispute about that.

COMMISSIONER BARTHA:

The resolution was not adopted.

LEG. FOLEY:

We had approved a resolution for \$450,000 for Smith Point.

COMMISSIONER BARTHA:

Yeah, that was for parks work.

LEG. FOLEY:

Various Parks Department work. If you want Mr. LaValle to step forward, through the Chair, it's my understanding that the monies -- and this will be discussed at the Parks Committee meeting as well. It's my understanding that those monies would be used for the fishing pier and that a portion of those monies were going to be used to repair the middle of the parking lot as well as to seal all the cracks throughout the parking lot so that it would be ready for this summer. And then longer term, once this master plan is developed than we would have a better idea of what we're going to do with the parking lot; is that correct?

CHIEF DEPUTY COMMISSIONER LAVALLE:

The \$750,000 that was appropriated at the end of last year --

LEG. FOLEY:

It was 450, wasn't it 450?

CHIEF DEPUTY COMMISSIONER LAVALLE:

I think there was -- some of that money was for planning purposes and the remaining portion of that money was to build a skate park, a skating facility. There weren't any funds that were appropriated for

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the purpose of improving the parking lot.

LEG. FOLEY:

Well, that was -- that's different from what I was told back in December about the resolution.

CHIEF DEPUTY COMMISSIONER LAVALLE:

This is a discussion we had with the Parks Department recently because it had come up at the last Public Works Committee meeting.

LEG. FOLEY:

That's right.

CHIEF DEPUTY COMMISSIONER LAVALLE:

That's what we were told by the Parks people, that the money was set

aside for those purpose. And so at this point there isn't any money to progress with any of the parking field improvements. Now, we're prepared to move ahead with the improvements as soon as it's determined what funds are available for that purpose. Now, if we are talking about upgrading the improvement to include recycling the existing pavement, then the cost would be substantially increased.

LEG. TOWLE:

Mr. Chairman, I haven't had a chance to talk with Legislator Foley about this for no other reason than just things have been crazy, but my recollection was that for the skimcoating it was about a million dollars and I've heard some numbers in regards to the recycling possibly being double that. So, you know, from my perspective, I always prefer a long-term solution but, you know, from what I here, this recycling really seems to be something that would be effective and would work for a lengthy period of time. And for a million dollars more more, it would seem to me to make sense to move in that direction coming up with a long-term solution. Even if we were to move the building, which now that there's been a change in Congress we have to refamiliarize Congressman Bishop with what we're looking to do at Smith Point, get him on board and try to get some appropriations, it's a good three, four, five years before that building is probably going to ever be moved. And in the meantime, the people that are using that facility obviously are forced to park in a parking lot that's got major dips, flooding, grass growing out of it, it's not properly striped, it's just a mess.

COMMISSIONER BARTHA:

We would be glad to develop some cost figures for different alternates, including the alternate you described and provide them to you and Legislator Foley and the Chairman.

LEG. TOWLE:

Do you have other material as well, Charlie, at any of our facilities? You had said one of the concerns may be that there may not be enough material there to recycle for the base; do we keep material, do we have other material or we don't?

COMMISSIONER BARTHA:

No, no, that's something the contractor would provide.

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LEG. TOWLE:

Okay. All right, thank you.

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

We're going to be taking this issue up in Parks and the offset that Legislator Towle has come up with is I think in Timber Point; is that not correct, for the -- I think it is. And that's going to be -- as much as many of us want to see the work down at Smith Point, including this Legislator, I think, I believe there's going to be some difficulty -- some disagreement about the offset. So that will be discussed in the Parks Committee this week. But certainly if we can find a more suitable offset or another area of the Capital Program, we could move -- you weren't intending to have this done before this summer season, were you, Legislator Towle?

LEG. TOWLE:

If we can agree on a process and a price and where the money is coming from, we have preexisting lists with vendors on them -- yeah, service contracts already existing, some of which are going to expire in the summer. If we were able to approve this and get this through the Legislature this month, you know, and DPW is in concurrence as to what process and that the money was there and there was enough amount of money, there would be no reason in my mind why we couldn't get it done between now and let's say the 4th of July, I mean, if the contractor can do it; if the contractor can't then that's another story. But the two or three contractors that I've spoke to to get some concepts, you know, over the last year have both told me, you know, basically an eight week process; you know, whether or not that turns out to be exactly correct is I guess another question. But I would like to do something. We're going to go through another whole season in which that parking lot is a mess.

CHIEF DEPUTY COMMISSIONER LAVALLE:

Keep in mind that if we proceed with the project using the general requirements contract, it's possible that we'll be paying more for the project if we don't bid it in its entirety. Because don't forget, general requirements contractors when they bid don't know what level of work and what the extent of work they'll be doing so they take that into account. But certainly what you may want to do, if funding is a concern, is to address the damage pavement in the center of the parking lot where we need to put in some drainage and do some pavement repair and possibly move ahead with the project in segments if the funding becomes a problem, because that really needs to be addressed.

LEG. FOLEY:

Just through the Chair, that's the part when we had discussed this in December that I was told that that would be roughly about \$150,000 to do that particular area. And that's -- you know? That's what we were told.

CHAIRMAN CARACAPPA:

Well, having a little background in this area, not that I'm an expert but to do it piecemeal, we all agree that --

LEG. FOLEY:

You have to do the whole thing.

CHAIRMAN CARACAPPA:

-- the facility and the parking lot, it needs to be done, it should be done once, it should be done right in my personal opinion. To piecemeal it, to fill cracks, to patch and to do it in that regard would just -- we might as well take that money a couple of feet to the south or the north and throw it in the water, in my view, because it just does not work or it does not last. All one needs to do is look and have a winter such as this and when the weather starts warming up you're going to see these roads peeling back like you haven't seen in years based on the freezing. My own personal opinion, I think that parking lot should be -- if we're going to do it we should do it right and move forward with a process that would be in place for a long time. Commissioner LaValle, you were going to say something?

CHIEF DEPUTY COMMISSIONER LAVALLE:

No, no, no, when I talk about patching it, what we would do would be something that would have to be done regardless of what you ultimately did to the parking lot; we have to put in some drainage, we have to do those things. It's not going in, as you say, where we just patch a road temporarily, this is a permanent type repair. And if you looked at the alternatives that we had presented some time ago, that was the basic alternative that you would have to do first, is you have to do some drainage work, you have to do some level of pavement repair and then move ahead. Now, if you're talking about recycling the entire parking field then that's another consideration which is far more expensive, and if that's the ultimate goal then certainly we would have to address it accordingly with the level of drainage or other types of repair work we would have to perform.

CHAIRMAN CARACAPPA:

Legislator Towle.

LEG. FOLEY:

Was there any work intended to be done this spring, with or without the Towle Resolution, particularly in the middle of the parking area; discussions between yourself and the Parks Department?

CHIEF DEPUTY COMMISSIONER LAVALLE:

Not without funding, we still need that funding to go ahead with that repair.

LEG. FOLEY:

I understand that, but was the Parks Department intending to do work this spring time to at least fix the area in question, the most -- the area that's in most need.

COMMISSIONER BARTHA:

Not with our participation. I mean, you really have to check with them what they were planning on doing.

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CHIEF DEPUTY COMMISSIONER LAVALLE:

That's exactly what I was going to say. I think you really need to address that with the Parks Department. Our understanding is that there isn't any funding currently available for that purpose.

CHAIRMAN CARACAPPA:

Okay. With that being said, any other business? We stand adjourned.

(*The meeting was adjourned at 4:09 P.M.*)

Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee

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